

## CHAPTER 78

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**NATURAL RESOURCES**

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**HOUSE BILL 20-1057**

BY REPRESENTATIVE(S) Carver and McCluskie, Cutter, Snyder, Will, Buentello, Catlin, Duran, Exum, Geitner, Gray, Jackson, Kennedy, Liston, McLachlan, Michaelson Jenet, Pelton, Singer, Soper, Sullivan, Titone, Valdez A., Valdez D., Wilson, Becker; also SENATOR(S) Coram and Fenberg, Ginal, Lee, Bridges, Crowder, Fields, Gonzales, Hansen, Hisey, Lundeen, Moreno, Pettersen, Priola, Rankin, Rodriguez, Scott, Story, Tate, Winter, Woodward, Garcia.

**AN ACT****CONCERNING MODIFICATIONS TO THE "FOREST RESTORATION AND WILDFIRE RISK MITIGATION ACT".**

*Be it enacted by the General Assembly of the State of Colorado:*

**SECTION 1.** In Colorado Revised Statutes, 23-31-310, **amend** (3), (4.5)(d), (6), and (9); **repeal** (4)(d); and **add** (4.3), (4.4), (4.5)(f), and (4.5)(g) as follows:

**23-31-310. Forest restoration and wildfire risk mitigation grant program - technical advisory panel - legislative declaration - definitions - repeal.** (3) **Grant projects.** The forest service shall issue a statewide request for proposals for cost-share grants for projects that are designed through a collaborative community process. The projects may be entirely on, or on any combination of, private, state, county, or municipal forest lands. The grant share of an individual project cost must not exceed fifty percent of the total cost of the project or exceed one million dollars per project. IN THE CASE OF A PROJECT THAT IS LOCATED IN AN AREA WITH FEWER ECONOMIC RESOURCES, THE GRANT SHARE OF AN INDIVIDUAL PROJECT COST MUST NOT EXCEED SEVENTY-FIVE PERCENT OF THE TOTAL COST OF THE PROJECT OR EXCEED ONE MILLION DOLLARS PER PROJECT. The remaining portion of the project's funding may be in the form of cash, stumpage, or in-kind contribution. IN MEETING THE MATCH REQUIREMENTS UNDER THIS SUBSECTION (3), A PROJECT MAY BE FUNDED, IN WHOLE OR IN PART, FROM GIFTS, GRANTS, OR DONATIONS RECEIVED FROM ANY ORGANIZATION, ENTITY, OR INDIVIDUAL. IN MEASURING AN IN-KIND CONTRIBUTION FOR PURPOSES OF MEETING THE FIFTY PERCENT AND TWENTY-FIVE PERCENT MATCHES REQUIRED BY THIS SUBSECTION (3), "IN-KIND CONTRIBUTION" MAY INCLUDE VOLUNTEER HOURS PROVIDED BY THE STAFF OF AN ENTITY OR ORGANIZATION APPLYING FOR GRANT FUNDING AND THE TIME FOR

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

WHICH STAFF RECEIVES MONETARY COMPENSATION IN THE FORM OF SALARY OR OTHER FINANCIAL BENEFITS. SUCH COMPENSATED TIME THAT COUNTS TOWARDS THE IN-KIND CONTRIBUTION IS LIMITED TO THE ESTIMATED TIME OF PAID STAFF IN PLANNING AND IMPLEMENTING THE MITIGATION PROJECT. THE FOREST SERVICE SHALL ESTABLISH A POLICY THAT SPECIFIES THE CRITERIA BY WHICH A PARTICULAR PROJECT WILL SATISFY THE REQUIREMENT OF THIS SUBSECTION (3) THAT IT IS LOCATED IN AN AREA WITH FEWER ECONOMIC RESOURCES, AS APPLICABLE.

(4) **Eligibility requirements.** To be eligible to receive funding under this section, a project must:

~~(d) Include a diverse and balanced group of stakeholders as well as appropriate federal, state, county, and municipal government representatives in the design, implementation, and monitoring of the project;~~

(4.3) IN ADDITION TO SATISFYING SUBSECTION (4) OF THIS SECTION, A GRANT PROJECT THAT RECEIVES FUNDING UNDER THIS SECTION MAY ALSO SUPPORT ONGOING MAINTENANCE EFFORTS BY ELIGIBLE RECIPIENTS TO REDUCE THE THREAT OF LARGE, HIGH-INTENSITY WILDFIRES.

(4.4) **Additional funding objectives.** AS PART OF THE SUBMISSION OF GRANT APPLICATIONS UNDER THIS SECTION, THE FOREST SERVICE ENCOURAGES APPLICANTS TO INCLUDE ON THEIR GRANT APPLICATION INFORMATION THAT INDICATES WHETHER THE PROJECT IS SUPPORTED BY A DIVERSE AND BALANCED GROUP OF STAKEHOLDERS AS WELL AS APPROPRIATE FEDERAL, STATE, COUNTY, AND MUNICIPAL GOVERNMENT REPRESENTATIVES IN THE DESIGN, IMPLEMENTATION, AND MONITORING OF THE PROJECT.

(4.5) **Eligible recipients.** Eligible grant recipients include:

(d) State agencies, such as the state land board or the division of parks and wildlife, that own lands or property in areas of high risk for catastrophic wildfires; ~~and~~

(f) A FIRE PROTECTION DISTRICT, AS DEFINED IN SECTION 32-1-103 (7); AND

(g) A NONPROFIT ORGANIZATION OR ENTITY ENGAGED IN FIREFIGHTING OR FIRE MANAGEMENT ACTIVITIES.

(6) **Proposal selection.** After consulting with the technical advisory panel established in subsection (5) of this section, the forest service shall select the proposals that will receive funding through this section. In carrying out approved projects, the project proponents shall, whenever feasible, contract with the Colorado youth corps association or an accredited Colorado youth corps to provide labor. THE GENERAL ASSEMBLY ENCOURAGES THE FOREST SERVICE TO MODIFY ITS ADMINISTRATIVE POLICIES AND PROCEDURES UNDER THIS SECTION TO ENABLE FUNDING TO BE PROVIDED TO GRANT RECIPIENTS IN MARCH TO ENABLE WILDFIRE MITIGATION TO COMMENCE BEFORE THE PRIME WILDFIRE SEASON STARTS IN JUNE.

(9) **Repeal.** This section is repealed, effective ~~September 1, 2022~~ SEPTEMBER 1, 2029.

**SECTION 2. Act subject to petition - effective date.** This act takes effect September 1, 2020; except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within the ninety-day period after final adjournment of the general assembly, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 24, 2020